

City of Grand Ledge
Planning Commission Meeting
Minutes from Meeting Held on
Thursday, October 1, 2015

Chairman Mike Stevens called the meeting to order at 7:00 p.m.

Attendance - Present: Mike Stevens, Bill Kane, Bob Doty, Todd Gute, Steve Baribeau & Matt Salmon. Also present: Zoning Administrator Sue Stachowiak. Absent: Eric Morris, Jamie Malecki, Lynne MacDowell & Council Representative Keith Mulder. .

Pledge of Allegiance – Mr. Kane led those present in the pledge of allegiance.

Approval of the Agenda

Mr. Doty made a motion, seconded by Mr. Baribeau to approve the agenda as printed. On a voice vote, the motion carried 6-0.

Approval of the Minutes

Mr. Baribeau made a motion, seconded by Mr. Gute to approve the September 10, 2015 minutes as printed. On a voice vote, the motion carried 6-0.

Notice of Agenda Items Conflicts - None

Business from the Floor - None

NEW BUSINESS

Zoning for Gilbert 425 Annexation Property

Ms. Stachowiak stated that 4 parcels were recently annexed into the City from Oneida Township via a 425 Agreement. A 425 agreement is a temporary (up to 50 years) transfer of property from one jurisdiction to another that includes revenue sharing between the 2 affected municipalities. In this case, the agreement is for a term of 50 years and requires that the City annually remit 1 mill on all real and personal property generated by the annexed property to Oneida Township.

Ms. Stachowiak said that Section 220-9 of the Zoning Ordinance states:

“Any area annexed to the City of Grand Ledge shall, immediately upon such annexation, be automatically classified as an AG Agricultural District, until a zoning map for said area has been adopted by the City Council. The Planning Commission shall recommend appropriate zoning for such area within three months after the matter is referred by the City Council.”

Ms. Stachowiak said that there is no specific development plan for the property at this time. The owner has informally requested R-MD, Single Family Residential zoning for the 2 parcels on the south side of Old Saginaw Highway (comprising 152.28 acres) and B-1, Highway Service district zoning for the 2 parcels between Saginaw Highway and Old Saginaw Highway (approximately 7 acres).

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Ms. Stachowiak said that the property owner intends to construct single family residential homes on the 2 parcels south of Old Saginaw Highway. She said that this can be accomplished through the site condominium or the subdivision process. Both of these types of development will require site plan review and approval by the City Council, after review and recommendation by the Planning Commission. She also said that they must comply with all the development standards of the Zoning Ordinance and Subdivision Ordinance which are briefly outlined in the staff report for this matter.

Ms. Stachowiak stated that all of the property owners and occupants within 300 feet of the subject property were notified of the public hearing by mail. She said that the only communication that was received was from Richard & Christina Martzke of 11654 Oneida Road. The letter requests that the City exclude a section of property, 450 feet deep, along the west and south boundaries of Parcels C & D to allow a safety zone for deer hunting.

Mr. Stevens opened the public hearing at 7:05 p.m.

John Phillipich, 11805 Stone Bluff Drive, asked why the property was annexed to the City who requested it.

Ms. Stachowiak stated that the property owner typically requests the annexation and the primary reason is that the utility rates and costs for extending utilities is typically much less for City residents versus non-City residents. She said that the developer requested the annexation.

Mr. Phillipich asked about potential condominium development of the site. He asked if it would be multiple attached units.

Mr. Stevens said that the condominium development permitted under the City ordinance is exactly the same as that of a single family subdivision. He said that condominium is simply a different form of ownership. It is just a faster process than platting.

Rick Gilbert, 4072 Tall Oaks Drive, spoke in support of the proposed zoning. He said that the 450 feet of land that was excluded from the rezoning when it was approved by the Township about 10 years ago was never intended to be a safety zone. He said that he and the Township all agreed to excluding the 450 feet from the rezoning because there were no plans for development of the property at that time. Mr. Gilbert stated that his own yard abuts the subject property and he has developed 2 residential neighborhoods to the south, both of which abut agriculturally zoned property and there have been no issues with respect to preserving any safety zones for hunting. He also said that there was no agreement to exclude 450 feet along the west and south borders of the property from the rezoning to provide a safety zone for hunting.

Mr. Doty said that no hunting is permitted within 450 feet a residential use.

Don Cooley, Oneida Township Supervisor, 512 Whitney Street, stated that the 450 foot strips of land were excluded from the rezoning because Mr. Gilbert was agreeable to it at the time but there is no agreement in place that requires it to continue to be zoned agricultural.

Mr. Stevens closed the public hearing at 7:18 p.m.

Mr. Salmon stated that in the interest of full disclosure, he knows the Martzkes.

The Commission agreed that Mr. Salmon does not have a conflict of interest that would prevent him from voting on this matter as he does not stand to benefit from the outcome in any way.

Mr. Gute stated that the Commission's highest level of protection must also be residential neighborhoods. He said that the people that come to the public hearings may very well have issues that need to be addressed, such as some of the comments that were received about the new Speedway site. He said that the Commission placed conditions on the approval to address buffering, drainage, light glare, etc. to address the neighbor's concerns. Mr. Gute stated that sometimes the Commission has to weigh the concerns from the people who are present at the public hearing against the best interest of the City as a whole.

Mr. Kane stated that the City does not have any of these 450 foot safety zones.

Mr. Stevens pointed out that the 425 agreement does not require the safety zoned either.

Mr. Doty said that the police would know what the laws are with respect to hunting near the City borders.

The Commissioners agreed that the proposed rezoning makes sense for the subject properties.

Mr. Doty made a motion, seconded by Mr. Baribeau to recommend R-MD, Single Family Residential zoning for the 2 parcels on the south side of Old Saginaw Highway (comprising 152.28 acres) and B-1, Highway Service district zoning for the 2 parcels between Saginaw Highway and Old Saginaw Highway (approximately 7 acres). On a roll call vote, the motion carried unanimously (6-0).

OLD BUSINESS

The Commission took a 5 minute recess.

Zoning Ordinance Amendments – Section 220-35- Accessory Structures & Bed & Breakfast facilities in the CBD District

Ms. Stachowiak said that the Commission has been asked to look into establishing some regulations on accessory structures in the downtown in response to the unattractive smoker/enclosure that went up behind MacDowell's building, next to the upcoming BBQ restaurant. She said the ordinance right now just allows accessory buildings without restriction.

Ms. Stachowiak stated that the Commission received comments from Eric Morris stating that restricting accessory structures, particularly to the extent that design guidelines would be imposed, is being overly restrictive. She said that a response was received from Ms. MacDowell expressing concerns about not

restricting accessory structures, particularly in light of the problems caused by one that was placed behind her building.

Mr. Gute said that right now, he is leaning toward not restricting accessory structures. He said that this came about because of the BBQ structure that went up because it does not look very good.

Mr. Stevens said that “hour” needs to be added after 24.

Mr. Gute said that a lot of interaction occurs behind the buildings in the downtown as that is where most of the parking in the downtown is located and there are some outdoor seating areas behind the buildings.

Mr. Baribeau said that he is in favor of having some regulations on accessory structures rather than just allowing them without restriction.

Mr. Salmon agreed. He said that the City has an obligation to ensure that one property owner’s actions do not negatively impact another property owner. Mr. Salmon said that the intent is to ensure that everyone is being a good neighbor, without being overly restrictive.

Mr. Gute said that there is a deal to remove the canopy at the bank building to provide additional access to E. Jefferson Street. He said that with the addition to the library as well, there may be some changes to the City parking lot in the near future.

Mr. Stevens said that he is having a hard time with the design standards. He said that one of the standards is that the structure must have a pitched roof. Mr. Stevens said that a flat roof structure can be made to look really nice.

Ms. Stachowiak said that there were concerns about requiring one on-site parking space for each occupied room. She said that she changed it to one space either on site or within 300 feet of the site.

Mr. Stevens questioned whether 300 feet is far enough.

Mr. Gute stated that it is a city block.

Ms. Stachowiak stated that 300 feet seemed to be the standard among other communities.

Mr. Baribeau asked about not allowing a person to stay in the facility for more than 60 consecutive days.

Ms. Stachowiak said that it is intended to prevent people from living there. She said that for lack of a better term, she does not want it to become a flop house.

Mr. Stevens stated that the ordinance should prohibit accessory structures from interfering with any kind of traffic, not just emergency vehicle access.

Mr. Baribeau said that there should be a setback for the accessory structures from the adjoining lot lines.

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Mr. Stevens pointed out that there is a numbering error in the ordinance. He also pointed out the following errors/corrections:

Page 1 – Item F (2) – add “hour” after “24”

Page 1 - Item G (2) – “located” is misspelled

Page 2 - Item G (5) – add “or in” between “on” and “a”

Page 2 – Item G (6) – add “...unless they are intended to be used for human occupancy”

Page 2 – Item G (7) – delete entire section and add language such as “The design of the accessory structures must be in keeping with the character of the Central Business District.”

Mr. Kane stated that no overnight parking is permitted on the streets or in City parking lots. He said that the overnight lodging facilities would have to have some arrangements with the City or DDA for overnight parking in the public parking lots.

Mr. Gute stated that it would be very helpful to have an aerial photograph of the downtown that shows the parcel lines for this conversation. He also suggested getting input from the DDA on the ordinance changes before finalizing and making a recommendation to the City Council.

Ms. Stachowiak said that she would provide an aerial photo of the downtown for continued discussion at the next meeting.

Master Plan Update

Ms. Stachowiak reviewed the changes she made to Chapter 1 and about ½ of Chapter 2.

Mr. Kane stated that the City’s industrial park covenants are overly restrictive and may be affecting businesses from wanting to locate in the park. He said that requiring curb and gutter, sidewalks, etc. may be too much for that area. Mr. Kane said that other communities are filling their industrial park and ours is still mostly vacant.

Mr. Doty said that the City paid Kuntzsch Solutions \$5,000 to market the industrial park for 6 months but he does not believe that anything has occurred just yet.

Mr. Salmon said that the industrial parking in Watertown is thriving.

Mr. Kane said that something is wrong. For one thing, truck drivers do not like to be told that they cannot turn left to go through town but instead have to go back out to the freeway to get to Saginaw Highway.

Mr. Gute stated that there is a large new Meijer warehouse at Creyts and Mt. Hope. He said that it is a great location because this warehouse serves the Meijer stores to its east and west in the State of Michigan and it has easy access on and off the freeway.

Mr. Doty said that the City’s industrial park not only has easy access to I-96 but it also has railroad access and an airport directly to its north.

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Mr. Kane said that the Master Plan mentions housing needs for an aging population. He said that allowing more dense single family developments to accommodate downsizing has been discussed in recent months with respect to amending the Zoning Ordinance.

Mr. Stevens said that he mentioned at the last meeting that multi-family or relatively dense single family residential would provide a good transition/step-down zoning pattern between the highway and the lower density residential zoning to the south for the recently annexed property.

Mr. Salmon said that the “speedway” begins right at the Old Saginaw/M-43 intersection. He also said that the right-of-ways in the City are too wide and cause people to speed.

Mr. Stevens said that narrower streets do slow down traffic but it involves changing mindsets because people do not like it when their streets are being narrowed.

Mr. Kane stated that “City officials” or “City Administrative Staff” needs to be explained.

Mr. Stevens pointed out the following corrections that need to be made to the document:

- Page 1 – 1st line of 1st paragraph – “vacant” is misspelled.
- Page 1 – last line of 1st paragraph – delete capitalized “THE”
- Page 1 – 1st line of 2nd paragraph – add “Master” between “The” and “Plan”
- Page 1 – 1st line of 2nd paragraph – remove the first “the”
- Page 2 – 1st line of 1st paragraph - add “Master” between “The” and “Plan”
- Page 2 – 2nd line of 1st paragraph – spell out DDA
- Page 2 – 3rd line of 3rd paragraph – change “areas” to “area”
- Page 5 – 1st line of 1st paragraph – capitalize Master Plan
- Page 5 – Chapter 2 – 5th line of 3rd paragraph – add “higher education” after governmental employment
- Page 7 – under “Household Size” change “will” to “may”
- Page 11 – 4th line of 4th paragraph – add “annexed” between “on” and “land” and delete “farmland”

Ms. Stachowiak said that she would make the changes and bring them back to the Commission at the next meeting.

City Charter Update

Mr. Doty provided the Commission with an information sheet on the charter amendment that will be on the November 3, 2015 election ballot. He stated that it is imperative that the City approves this amendment. It would require that candidates for City Offices obtain the signatures of 25 registered voters or pay a \$100.00 filing fee to get on the ballot. Right now, the potential candidates have to obtain the signatures of at least 4% of the 4 registered voters of the City or ward.

Mr. Doty stated that there are 9 members on the Charter Commission and it is very difficult to obtain the required number of signatures when it is based on a percentage. He said that the City Charter is 53 years

old and it is time for it to be updated. Mr. Doty said that the Charter Commission will model the City Charter after the Jonesville Charter which was just updated 2 years ago.

He asked all of the Commissioners to please vote yes on this initiative.

OTHER BUSINESS

Joint Planning Committee Report

Mr. Doty said that the DDA and the owner of the former Michigan National Bank building at the corner of Bridge and Jefferson have come to an agreement for a land swap. This would involve the bank canopy being removed to provide access from the City parking lot to E. Jefferson Street and the City providing land to accommodate the BBQ smoker and outdoor dining area. Mr. Doty said that the owner of the bank building is amenable to installing the required doors in the back of the bank building.

Mr. Doty said that the canopy behind Fortino's will be coming down as it is located on City property.

Mr. Doty said that the Huhn family has donated \$10,000 to the City to erect a sculpture on the City property at the intersection of Harrison and Jefferson.

Mr. Doty said that Crossroads BBQ opened this week. He said that he has eaten there and it is very good. He also said that the new owners of the former city hall are already working on the building to renovate it for a brewery.

Mr. Doty stated that the City is turning its parks and recreation operations over G.L. Schools and the City will pay them \$50,000 per year for the next 2 years. He said that this is a win-win situation for both the City and the School system. Mr. Doty also stated that the City has purchased the additional 5-6 acres of land to add to Oak Park.

River Park Master Plan from Rounds property to Fitzgerald Park - None

Mr. Doty stated that this item can be taken off the agenda. He said that the property has been purchased by the City. The building, along with the Scout building, will be demolished in the near future. Mr. Doty said that the additional land will allow the City to install additional parking and a good boat launch.

Mr. Stevens said that this is a real opportunity for the City to install a good, workable boat launch.

Zoning Administrator's Report - None

Zoning Board of Appeals Representative's Report

Ms. Stachowiak said that The Zoning Board of Appeals met on September 17, 2015 and approved a variance request for a 6 foot fence in the front yard (Kent Street) at 609 Liberty Street.

Council Representative's Report - None

Mayor's Report - None

Comments from Commissioner's

Mr. Doty said that the Opera House continues to have issues with water flowing across its parking lot and is currently working with the DDA to address the situation. He also said that the City needs to look again at "granny pods".

Mr. Salmon stated that he appreciates the diversity and the longevity of the members on the Commission. He said that he met the brothers who are working on the former city hall and they are doing a very good job. Mr. Salmon said that this will be a great addition to the City.

Comments from Chairman

Mr. Stevens stated that the band exhibition at the high school last night was really great. He said that this is an amazing event that this City hosts. There were around 20 bands, including the MSU band and it is extremely well attended.

Mr. Doty said that traffic backed up at the M-43/Jenne intersection. He said that it would have been helpful for the police to direct traffic at the intersection in order to get people out more efficiently.

Mr. Gute stated that Grand Ledge is the only high school band exhibition that the MSU band attends. He also said that he would speak to the event organizer about the traffic problem.

Adjournment

Mr. Baribeau made a motion, seconded by Mr. Gute to adjourn the meeting at 8:50 p.m. On a voice vote, the motion carried unanimously (6-0).

Submitted By:

Susan Stachowiak
Zoning Administrator

Jamie Malecki, Secretary
Planning Commissioner